

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MICHAEL BROWN,

Plaintiff,

CASE NO.:

-against-

**COMPLAINT AND JURY
DEMAND**

EDUARDO VALDEZ and CAPITAL GRIND LLC,
Defendants.

Plaintiff MICHAEL BROWN, by and through his attorneys, RONAI & RONAI, L.L.P.,
as and for his Complaint, respectfully alleges, upon information and belief:

I. NATURE OF THE CASE

1. This is an action for injuries sustained by the plaintiff MICHAEL BROWN as a
result of the negligence of the defendants EDUARDO VALDEZ and CAPITAL GRIND LLC on
January 13, 2024.

II. JURISDICTION AND VENUE

2. Jurisdiction over this claim and the defendants herein, exists pursuant to 28
U.S.C. §1332(a)(1), as there is complete diversity of citizenship between the parties, and the
amount in controversy herein exceeds \$75,000.00, exclusive of costs.

3. Venue lies in the Eastern District of New York in that the events giving rise to
this action occurred within the Eastern District of New York.

III. THE PARTIES

4. At all times herein mentioned, plaintiff MICHAEL BROWN was and still is a
citizen of the County of New York, State of New York.

5. At all times herein mentioned, defendant EDUARDO VALDEZ, was and still is a citizen of the County of Philadelphia, State of Pennsylvania.

6. The defendant CAPITAL GRIND LLC, at all times herein mentioned, was and still is a limited liability company organized and existing under the laws of the State of Pennsylvania.

7. At all times herein mentioned, defendant EDUARDO VALDEZ was and still is a member of defendant CAPITAL GRIND LLC.

IV. FACTUAL ALLEGATIONS

8. On or about January 13, 2024, plaintiff MICHAEL BROWN owned a certain automobile, bearing New York plate number LEA1412.

9. On or about January 13, 2024, plaintiff MICHAEL BROWN was the operator of a certain automobile, bearing New York plate number LEA1412.

10. On or about January 13, 2024, defendant EDUARDO VALDEZ was the operator of a truck bearing Pennsylvania license plate number ZVR7478.

11. On or about January 13, 2024, defendant EDUARDO VALDEZ was employed by defendant CAPITAL GRIND LLC.

12. On or about January 13, 2024, defendant EDUARDO VALDEZ was the registered owner of a certain truck, bearing Pennsylvania license plate number ZVR7478.

13. On or about January 13, 2024, defendant EDUARDO VALDEZ was the titled owner of a certain truck, bearing Pennsylvania license plate number ZVR7478.

14. On or about January 13, 2024, defendant EDUARDO VALDEZ maintained a certain truck, bearing Pennsylvania license plate number ZVR7478.

15. On or about January 13, 2024, defendant EDUARDO VALDEZ controlled a certain truck, bearing Pennsylvania license plate number ZVR7478.

16. On or about January 13, 2024, defendant EDUARDO VALDEZ was the lessee of a certain truck, bearing Pennsylvania license plate number ZVR7478.

17. On or about January 13, 2024, defendant EDUARDO VALDEZ was the lessor of a certain truck, bearing Pennsylvania license plate number ZVR7478.

18. On or about January 13, 2024, defendant CAPITAL GRIND LLC was the registered owner of a certain truck, bearing Pennsylvania license plate number ZVR7478.

19. On or about January 13, 2024, defendant CAPITAL GRIND LLC was the titled owner of a certain truck, bearing Pennsylvania license plate number ZVR7478.

20. On or about January 13, 2024, defendant CAPITAL GRIND LLC maintained a certain truck, bearing Pennsylvania license plate number ZVR7478.

21. On or about January 13, 2024, defendant CAPITAL GRIND LLC controlled a certain truck, bearing Pennsylvania license plate number ZVR7478.

22. On or about January 13, 2024, defendant CAPITAL GRIND LLC was the lessee of a certain truck, bearing Pennsylvania license plate number ZVR7478.

23. On or about January 13, 2024, defendant CAPITAL GRIND LLC was the lessor of a certain truck, bearing Pennsylvania license plate number ZVR7478.

24. On or about January 13, 2024, the truck was being operated by defendant EDUARDO VALDEZ with the express knowledge, consent and/or on the business of its owner.

25. Upon information and belief, on or before January 13, 2024, one or more of the defendants herein was/were contracted to transport certain cargo in the subject truck on January 13, 2024.

26. Upon information and belief, the aforesaid was being performed pursuant to a written agreement.

27. Upon information and belief, the aforesaid was being performed pursuant to a verbal agreement.

28. On or about January 13, 2024, the truck operated by the defendant EDUARDO VALDEZ came in contact with the vehicle operated by the plaintiff MICHAEL BROWN, on the eastbound Brooklyn-Queens Expressway, near Exit 28B, Brooklyn, NY 10591.

29. On or about January 13, 2024, defendant CAPITAL GRIND LLC was a licensed interstate motor carrier.

30. On or about January 13, 2024, defendant EDUARDO VALDEZ violated sections of the Federal Motor Carrier Safety Administration Regulations.

31. On or about January 13, 2024, defendant CAPITAL GRIND LLC violated sections of the Federal Motor Carrier Safety Administration Regulations.

V. FIRST CAUSE OF ACTION

32. The allegations of the preceding paragraphs are repeated here as if fully stated.

33. Solely as a result of the defendants' negligence, carelessness, recklessness and/or violations of the Federal Motor Carrier Safety Administration Regulations, plaintiff was caused to suffer severe and serious personal injuries to mind and body and was subjected to great physical pain and mental anguish.

34. As a result of the foregoing, the plaintiff sustained serious personal injuries as defined in Section 5102(d) of the Insurance Law of the State of New York, and/or economic loss greater than basic economic loss as defined in Section 5102(a) of the Insurance Law of the State

of New York.

35. This action falls within one or more of the exceptions set forth in Section 1602 of the Civil Practice Law and Rules.

36. Due to defendants' negligence, carelessness, recklessness and/or violations of the Federal Motor Carrier Safety Administration Regulations, Plaintiff has thereby been damaged in the amount of TEN MILLION (\$10,000,000.00) DOLLARS.

VI. DEMAND FOR JURY TRIAL

37. Plaintiff demands a trial by jury for this action.

WHEREFORE, the plaintiff demands judgment against defendants for the first cause of action in the amount of TEN MILLION (\$10,000,000.00) DOLLARS and for such other relief as this Court deems just and proper.

Dated: Port Chester, New York
March 26, 2025



By: Holly Ostrov Ronai (HO3923)
RONAI & RONAI, L.L.P.
Attorneys for Plaintiff
The Ronai Building
34 Adeo Street
Port Chester, New York 10573
(914) 824-4777

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CASE NO.

MICHAEL BROWN,

Plaintiff,

-against-

EDUARDO VALDEZ and CAPITAL GRIND LLC,

Defendants.

COMPLAINT AND JURY DEMAND

RONAI & RONAI, L.L.P.

Attorneys for Plaintiff

The Ronai Building

34 Adeo Street

Port Chester, New York 10573

914-824-4777